

REMARKS

Claims 1-49 are pending in this application.

Claims 20, 32, 37, 43, 47 and 48 have been amended by the present Amendment. Amended claims 20, 32, 37, 43, 47 and 48 do not introduce any new subject matter.

Claims 1-19 and 38-41 have been withdrawn from consideration pursuant to 37 C.F.R. § 1.142(b) as being drawn to a non-elected invention, and have been canceled without prejudice or disclaimer. In addition, claims 33 and 42 have also been canceled without prejudice or disclaimer.

REJECTION UNDER 35 U.S.C. § 102

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is contained in the . . . claim.” Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); M.P.E.P. § 2131.

Yoshioka

Reconsideration is respectfully requested of the rejection of claims 20-25, 29-33, 37 and 42-46 under 35 U.S.C. § 102(b) as being anticipated by JP 06197245 (“Yoshioka”).

Applicant respectfully submits that Yoshioka does not disclose or suggest (1) a housing suspended at a rear of the seat, wherein the housing includes a cavity to temporarily receive the entertainment unit in the housing and suspend the

entertainment unit from the seat, as recited in amended claim 20; or (2) a housing suspended at a rear of a vehicle seat, wherein the housing includes a cavity to receive the entertainment unit in the housing and suspend the entertainment unit from the seat, as recited in amended claim 37.

For example, Applicant's disclosure describes and shows that an entertainment unit 450, which includes a display 452 and a media player 454 is received in a cavity of a housing 410 so that the entertainment unit can be suspended at the rear of the vehicle seat 401 while in the housing 410. See, e.g., Fig. 11A and corresponding discussion. In addition, the housing 410 can temporarily receive the entertainment unit 450 therein, so that the entertainment unit 450 can be removed from the vehicle for use outside the vehicle. See, e.g., Applicant's disclosure, page 21, lines 13-23.

In contrast to the claimed embodiments, what Examiner refers to as housing 3 in Yoshioka, is merely a stage on which the video camera rests. Unlike the claimed embodiments, Yoshioka's stage 3 does not include a cavity to receive an entertainment unit therein. Further, unlike the housing 410, the stage 3 is not suspended from the vehicle seat, but instead requires support from a rod 23 that extends to a lower surface.

Therefore, for at least the above reason, Applicant respectfully submits that claims 20 and 37 are not anticipated by Yoshioka.

In addition, for at least the reason that claims 21-25 and 29-32 depend from claim 20, and claims 43-46 depend from claim 37, claims 21-25, 29-32 and 43-46 are also not anticipated by the cited reference, claims 33 and 42 having been canceled.

As such, Applicant respectfully requests that the Examiner withdraw the rejection of claims 20-25, 29-33, 37 and 42-46 under 35 U.S.C. § 102(b).

Adams

Reconsideration is respectfully requested of the rejection of claims 20, 26-37 and 47-49 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,380,978 ("Adams").

Applicant respectfully submits that Adams does not disclose or suggest (1) a housing suspended at a rear of the seat, wherein the housing includes a cavity to temporarily receive the entertainment unit in the housing and suspend the entertainment unit from the seat, as recited in amended claim 20; or (2) a housing suspended at a rear of a vehicle seat, wherein the housing includes a cavity to receive the entertainment unit in the housing and suspend the entertainment unit from the seat, and a mounting mechanism including at least one mounting post positioned between the seat and the housing, as recited in amended claim 37.

In contrast to the claimed embodiments, what the Examiner refers to as the housing in Adams is the housing 12 of the DVD player 10. However, in contrast, the claimed embodiments recite that the housing receives the entertainment unit 450 therein. As shown, for example, in Fig. 11A of Applicant's disclosure, the entertainment unit 450 having its own housing, analogous the housing 12 of Adams, is positioned in an additional housing 410 for purposes of being suspended from the rear of the seat. There is no such housing in Adams for receiving the DVD player 10 therein. In addition, unlike the embodiment of claim 20, the housing 12 of Adams is not temporary, but is the permanent cover for the DVD player 10 and its internal components.

Applicant also notes that Adams fails to disclose a mounting mechanism including at least one mounting post (e.g., mounting post 405) positioned between the

seat and the housing, as recited in amended claim 37.

Accordingly, for at least these reasons, Adams does not anticipate claims 20 and 37.

In addition, for at least the reason that claims 26-32 and 34-36 depend from claim 20, and claims 47-49 depend from claim 37, claims 26-32, 34-36 and 47-49 are also not anticipated by the cited reference, claim 33 having been canceled.

As such, Applicant respectfully requests that the Examiner withdraw the rejection of claims 20, 26-37 and 47-49 under 35 U.S.C. § 102(b).

REJECTION UNDER 35 U.S.C. § 103

Reconsideration is respectfully requested of the rejection of claims 34-36 under 35 U.S.C. § 103(a) as being unpatentable over Yoshioka in view of U.S. Patent No. 5,729,291 (“Tanaka”).

As stated above, Applicant respectfully submits that Yoshioka does not disclose or suggest a housing suspended at a rear of the seat, wherein the housing includes a cavity to temporarily receive the entertainment unit in the housing and suspend the entertainment unit from the seat, as recited in amended claim 20. Furthermore, it would not have been obvious to modify Yoshioka in view of Tanaka to include same.

As stated above, in contrast to the claimed embodiments, Yoshioka shows a stage on which the video camera rests that does not include a cavity to receive an entertainment unit therein. Further, the stage in Yoshioka is not suspended from the vehicle seat, but instead requires support from a rod that extends to a lower surface. Tanaka does not cure this deficiency in Yoshioka.

Accordingly, for at least this reason, Applicant respectfully submits that amended

claim 20 is patentable over Yoshioka in view of Tanaka.

For at least the reason that claims 34-36 depend from claim 20, and claims 34-36 are also submitted to be patentable over the cited reference.

As such, Applicant requests that the Examiner withdraw the rejection of claims 34-36 under 35 U.S.C. §103(a).

DEPENDENT CLAIMS

Applicant has not independently addressed the rejections of all the dependent claims because Applicant submits that, in view of the amendments to the claims presented herein and, for at least similar reasons as why the independent claims from which the dependent claims depend are believed allowable as discussed, *supra*, the dependent claims are also allowable. Applicant however, reserves the right to address any individual rejections of the dependent claims should such be necessary or appropriate.

An early and favorable reconsideration is earnestly solicited. If the Examiner has any further questions or comments, the Examiner may telephone Applicant's Attorney to reach a prompt disposition of this application.

Respectfully submitted,



Michael F. Morano
Reg. No. 44,952
Attorney for Applicant

F. CHAU & ASSOCIATES, LLC
130 Woodbury Road
Woodbury, NY 11797
(516) 692-8888